

### DETAILED ACTION

1. Claims 1-24 are pending.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 13, at said calling client: The claim language is ambiguous regarding whether "said calling client's address and port" retrieved by said calling client is said calling client's public address and port, private address and port, or both. Similarly, this same ambiguity exists regarding what address and port are included in "a first data message" sent to the called client.

Claims 1 and 13, at said called client: The claim language is ambiguous regarding whether "said called client's address and port" retrieved by said called client is said called client's public address and port, private address and port, or both. Similarly, this same ambiguity exists regarding what address and port are included in "a second data message" sent to the calling client.

Claims 1 and 13, last limitation: To remove ambiguity regarding what clients generate and send discovery data packets, Examiner suggests phrasing: "wherein if,

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after a predetermined time period said called or calling client does not receive said first or second discovery data packet, respectively, then:" (emphasis added).

Claims 1 and 13, last limitation: The limitation is unclear what entity, be it clients or another machine, transmits the third discovery packets.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Roshko (20040057385: hereinafter Roshko).

For claims 1 and 13, Roshko discloses a method of communicating over a network between a calling client behind a first firewall and a called client behind a second firewall, the method comprising the steps of:

providing first and second discovery servers coupled to said network; each of said discovery servers containing address and port information associated with said calling and called clients;

at said calling client:

retrieving from said first and second discovery servers said calling client's address and port ([0014], disclosure of MGC units interrogating NAT in response to call setup between nodes;

generating and sending to said called client a first data message comprising said calling client's address and port ([0017]);

at said called client:

receiving said calling client's first data message and determining said calling client's address and port therefrom ([0014]);

retrieving from said first and second discovery servers said called client's address and port ([0017]);

generating and sending to said calling client a second data message comprising said called client's address and port ([0017]);

generating and sending a first discovery data packet to said calling client's address and port ([0017]);

at said calling client:

receiving said called client's second data message and determining said called client's address and port therefrom ([0014];

generating and sending a second discovery data packet to said called client's address and port; ([0017])

wherein if, after a predetermined time period said calling or called client does not receive said first or second discovery data packet then: sending a plurality of third discovery data packets to a predefined range of ports until an active address associated with said calling or called client is discovered, and receiving said third discovery data packet at said discovered address; otherwise, receiving said first and second discovery data packet at said calling and called address, respectively ([0014]).

For claims 2 and 14, Roshko discloses the method as in claim 1 wherein the method further comprises:

providing a server coupled to said network; said server being associated with said calling and called clients ([0003], disclosure of NAT functionality);

at said calling client:

sending to said called client said first data message comprising said calling client's address and port via said server ([0028]);

at said called client:

sending to said called client said second data message comprising said called client's address and port via said server ([0028]).

For claims 3 and 15, Roshko discloses the method as in claim 1 wherein the first and second discovery servers include private and public port and address information associated with said calling and called clients ([0029]).

For claims 4 and 16, the method as in claim 1 wherein the first discovery server includes first port and address information associated with said calling and called clients and said second discovery server includes second port and address information associated with said calling and called clients ([0029]).

For claims 5 and 17, Roshko discloses the method as in claim 4 wherein the first message generation steps further comprise: determining a first differential value between the calling client's first port and the second port; and generating said first data packet comprising said calling client's address and port and said differential value ([0028], If a NAT is determined to be present, the MGC instructs the endpoint 5 to now send media packets to virtual media endpoint 4 on the MGC that has a different IP address than endpoint 3. By comparing the media packets received by endpoint 4 with the packets received previously by endpoint 3, the MGC is able to deduce whether the type of NAT is Cone or Symmetric (emphasis added)).

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For claims 6 and 18, Roshko discloses the method as in claim 4 wherein the second message generation steps further comprise: determining a second differential value between the called client's first port and the second port; and generating said second data packet comprising said called client's address and port and said second differential value ([0028]).

For claims 7 and 19, Roshko discloses the method as in claim 6 wherein said second data packet further includes modifications to the calling client's first data packet ([0015]).

For claims 8 and 20, Roshko discloses the method as in claim 1 wherein the predefined range of ports is extrapolated from the first or second differential values ([0028]).

For claims 9 and 21, Roshko discloses the method as in claim 1 wherein said data packets are Universal Data Packets ([0022]).

For claims 10 and 22, Roshko discloses the method as in claim 1 wherein said first and second firewall include Symmetric or Cone Firewall/Network Address Translation ([0022]).

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For claims 11 and 23, Roshko discloses the method as in claim 1 wherein said first and second firewall include Symmetric or Cone Network Address Translation/Port Address Translation ([0022]).

For claims 12 and 24, Roshko discloses the method as in claim 1 wherein said first and second firewall said first and second firewall include UPnP, UPnP, Network Address Translation/Port Address Translation, Multi-Network Address Translation or any combination of the foregoing ([0025]).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clayton R. Williams whose telephone number is 571-270-3801. The examiner can normally be reached on M-F (8 a.m. - 5 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Clayton R Williams/  
Examiner, Art Unit 2457  
10/24/2009  
/Salad Abdullahi/  
Primary Examiner, Art Unit 2457